

**IRA D. JOFFE**

Attorney At Law

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June 13, 2022

Mr. Cole Patton, Esq.  
McCarthy & Holthus, LLP  
1225 W 15<sup>th</sup> Street, Suite 1060  
Plano, TX 75075

**AS COUNSEL AND AS REGISTERED AGENT**

Ms. Ramona Ladwig, Esq.  
McCarthy & Holthus, LLP  
1225 W 15<sup>th</sup> Street, Suite 1060  
Plano, TX 75075

**VIA FAX ONLY TO (214) 291-3801  
and [cpatton@mccarthyholthus.com](mailto:cpatton@mccarthyholthus.com)  
and [rladwig@mccarthyholthus.com](mailto:rladwig@mccarthyholthus.com)**

**RE: *Wilmington Savings v. Myers*, Civil Action 4:22-cv-00088,  
Southern District of Texas, Houston Division**

**Leeroy Myers  
12215 Carola Forest Drive  
Houston, TX 77044**

Dear Mr. Patton and Ms. Ladwig:

This is the fourth request for you to please identify the lawyer who authorized the unsigned May 10, 2022, letter on the firm's stationery that showed the case number in bold print and said:

Enclosed please find a copy of the summons and complaint. After many attempts to serve in person and on your attorney, we are serving by mail pursuant to Rule 5(b)(2)(C).

A copy is attached so that it will be easily found if this letter needs to be marked as an exhibit.

Fifth Notice – Page 1

EXHIBIT 3-9

The first four notices have all been ignored. This letter is actually the fifth. The letters on May 20, May 27, and June 1, 2022, each contained a direct request. The last box in the table on Page 7 of the June 7, 2022, letter highlighted that there had been no response to the first three requests.

I see no reason to believe that any further extension of deadlines will be met by the professionalism I had hoped for.

The inability to identify the lawyer who made the legal decision to serve a summons and complaint under FED. R. CIV. P. 5 means it was not done by a lawyer. You will therefore each have to be included in the report I now feel compelled to send to the Unauthorized Practice of Law Committee.

How do I make a complaint to the UPLC?

You can make a complaint online by choosing the "Complaint Form" button on the main menu of this website. Otherwise, you can obtain a complaint form by calling (512) 427-1341, or by requesting a complaint form at [info@txuplc.org](mailto:info@txuplc.org), and following the instructions on the complaint form.

<http://www.txuplc.org/Home/faq>

I am therefore forced to interpret the pattern of failing to respond as knowing and intentional. That means you are apparently content to allow the deception against my clients to continue. If you contend the letter was not what TEX. FIN. CODE §392.304(a)(8) includes as "misrepresenting the character, extent, or amount of a consumer debt, or misrepresenting the consumer debt's status in a judicial or governmental proceeding" then please let me know as soon as possible.

Please confirm that your firm has told your client of the problem the firm's inactions and actions have created. This is not an end run around attorney-client privilege. There is no relevant privilege between anonymous and repeatedly unidentified non-attorneys and a lawfirm's client.

Surely a lawyer at the firm has told the client, if you actually have a client, of the violations of law taken in its name. Conversely, your failure to tell them of the problem is probably not why an actual law firm was presumably retained.

Please send something in writing proving that you were hired to file the case.

You repeatedly demanded proof from me of my representation of Mr. Myers despite your actual knowledge of my allowing your firm to substitute into the previous case. You are asked to operate under the same rules instead of the double standard you seem to prefer.

I remind you of the obvious that the unsigned May 10, 2022, letter on the firm's stationery said your firm considered me as the Myers' lawyer, contradicting the various emails from Ms. Ladwig.

Presumably you have also told your alleged client about the limitations problem and that any steps taken to enforce the expired lien will be a further knowing violation of law.

Please tell your main office that I am no longer asking if there is a way to settle things without more litigation.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ira D. Joffe', with a stylized flourish extending from the end.

Ira D. Joffe, Esq.  
IJ/ms

**McCarthy ♦ Holthus**  
*A Limited Liability Partnership*  
*A Multijurisdictional Law Firm*  
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**Facsimile (214) 291-3801**  
**www.McCarthyHolthus.com**  
Email to all personnel;  
First initial and last name@mccarthyholthus.com

5/10/2022

**SENT VIA FIRST CLASS U.S. MAIL**

LEEROY M MYERS  
12215 CAROLA FOREST DRIVE  
HOUSTON, TX 77044

BARBARA C MYERS  
12215 CAROLA FOREST DRIVE  
HOUSTON, TX 77044

Loan Number: 0007030687

**NOTICE OF SUMMON AND COMPLAINT**

RE: **Cause No. 4:22-cv-00088**; *Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust v. LEEROY M MYERS, and BARBARA C MYERS, et al*; In the Southern District of Texas Houston Division

Property Address: 12215 Carola Forest Dr, Houston, TX 77044  
MH File No. TX-21-78855-JF

Dear Borrower(s):

Enclosed please find a copy of the summons and complaint. After many attempts to serve in person and on your attorney, we are serving by mail pursuant to Rule 5(b)(2)(C).

Sincerely,  
McCarthy & Holthus, LLP

MH FILE NO.: TX-21-78855-JF

PAGE 1 OF 1

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Facsimile (480) 302-4101

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